



LAC-IEE-12-23

ENVIRONMENTAL THRESHOLD DECISION

Activity Location: Selected Amazon Landscapes in Ecuador, Peru & Colombia

Activity Title: ‘Indigenous Landscapes: Ensuring Conservation and Capacity for Indigenous Lands Conservation’ & ‘Net-Zero Deforestation Zones: Demonstration Projects in the Andean Amazon’ [under the Initiative for Conservation in the Andean Amazon (ICAA II)]

Activity Number: AID-OAA-A-11-00019 & AID-OAA-A11-00039

Life-of-Activity Funding: \$7,057,031 for AID-OAA-A-11-00019
\$5,000,000 for AID-OAA-A-11-00039

Life-of-Activity: **30 September 2011 - 29 September 2016**
(AIDOAA-A-II-00019)
30 September 2011 - 29 September 2014
(AIDOAA-A-II-00039)
Note these dates were corrected on 4/30/2015, the original ETD had the erroneous dates. [Victor Bullen]

IEE prepared by: Ryan Knight, Regional Environment Officer

Reference ETDs and EAs: LAC-IEE-11-74, LAC-IEE-11-76, LAC-IEE-10-30

Recommended Threshold Decision: Categorical Exclusion
Negative Determination with Conditions

Bureau Threshold Decision: Categorical Exclusion
Negative Determination with Conditions

Comments:

This Environmental Threshold Decision amends LAC-IEE-11-74 and LAC-IEE-11-76 (effectively combining the two), for which a deferral had been issued to all activities under the cooperative agreements that were not categorically excluded under the Initiative for Conservation in the Andean Amazon, Phase II (ICAA II). The amendment includes activities under the “Indigenous Landscapes: Ensuring Conservation and Capacity for Indigenous Lands Conservation” & ‘Net-Zero Deforestation Zones (NZD): Demonstration Projects in the Andean Amazon” managed by The Nature Conservancy and other partners. These include the AmaZONAS Andinas Net-Zero Deforestation Zones program umbrellas.

A **Categorical Exclusion** is issued to all those TNC activities of the eight NZD and three ICAA II components not specifically listed under sections 3.1 and 3.2 of this document. These activities will not have an impact on the physical or natural environment and fall within the classes of actions described in the following categories of the Agency’s Environmental Procedures, 22 Code of Federal Regulations (CFR) Part 216.2(c)(2):

- (i) Education, technical assistance, or training programs except to the extent such programs include activities directly affecting the environment (such as construction of facilities, etc.);
- (ii) Controlled experimentation exclusively for the purpose of research and field education which are confined to small areas and carefully monitored;
- (iii) Analyses, studies, academic or research workshops and meetings;
- (v) Document and information transfers;
- (xiii) Matching, general support and institutional support grants provided to private voluntary organizations (PVOs) to assist in financing programs where A.I.D.'s objective in providing such financing does not require knowledge of or control over the details of the specific activities conducted by the PVO; and
- (xiv) Studies, projects or programs intended to develop the capability of recipient countries to engage in development planning, except to the extent designed to result in activities directly affecting the environment (such as construction of facilities, etc.)

A **Negative Determination with Conditions** is issued to the following USAID/SAR Net-Zero Deforestation Zones and ICAA II Activities, as organized by their respective components.

Net Zero Deforestation (NZD)

Component 4: Improvement of Land-Use Planning Processes

- Technical support to relevant actors regarding to the methodology for zoning, aimed to best management of natural resources and land use planning in the three NZD zones by training courses.
- Local organizations will be strengthened in the areas of use and management of natural resources such as forests (reforestation techniques, agroforestry, seedling production, etc).

Component 5: Implementation of mitigation and conservation strategies

- Develop a diagnosis about the state of farmer's plots aimed to address sustainable practices.
- Design and implementation of a portfolio of mitigation and conservation strategies tailored to each area to effectively address the drivers of deforestation, restore degraded lands, and contribute to the low-carbon development.
- Design and establishment of sustainable agriculture systems such as silvopasture, agroforestry and reforestation, and develop different economic incentives that might be applied to the area for REDD activities.
- Develop proposals for projects oriented to conservation with indigenous and non-indigenous people.
- Component 6: Institutionalization of Strong Forest Governance Systems
- Communities will be provided with technical support for the development of strategic planning documents (Quality of Life Plan) on natural resource management.

4.2.B. ICAA II Indigenous Landscapes***Component 2: Reduce Threats to Indigenous Lands and Important Biodiversity******Areas P2.1***

- P (Peru) 2.2
- P2.3
- P2.4
- P2.7
- P2.8
- E (Ecuador) 2.13
- E2.14
- E2.15

Component 3: Establish Sustainability Mechanisms

- P3.1
- P3.5
- E3.1
- E3.9
- E3.12

Conditions include:

- The implementing partner is responsible for 22 CFR § 216 compliance for all of its sub-partners via grants under contract, grants under grants and subcontracts.

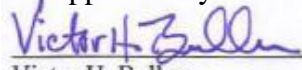
- All program activities that fall within a Negative Determination with Conditions and/or their related grants under contract will undergo site-specific environmental analysis utilizing either the *Environmental Monitoring Performance Report* (EMPR) format (for activities in Peru, see attached), SIGA's '*Ficha Ambiental*' (for activities in Ecuador), MONITOR's '*Ficha Ambiental*' (for activities in Colombia) or some other format approved by the MEO. Any deviation from this procedure should be approved by the REA prior to implementation.
- The implementing partner will monitor and apply appropriate mitigation measures, such as adequate best agricultural practices, environmental certifications (organic-, fair-trade-, and/or rainforest alliance-certified) agriculture and ecotourism, per Environmental Guidelines for Development Activities in Latin America and the Caribbean (for both English and Spanish versions, see http://www.usaid.gov/locations/latin_america_caribbean/environment/docs/epiq/epiq.html).. Signage and personnel security are other environmental and environmental-safety measures that should be applied by the implementing partner. All field-based activities that could have an impact on the environment shall comply with these guidelines and specific chapters/sections that apply:
 - Chapter 2: Small Scale Infrastructure:
 - A. Construction activities
 - Chapter 7: Ecotourism
 - Chapter 8: Agriculture and Watershed Management:
 - A. Soil and water conservation
 - B. Stream bank protection and reforestation
 - D. Pesticides and IPM – If pesticides/IPM are to be promoted.
 - Chapter 9: Forestry:
 - A. Reforestation
 - C. Agroforestry
- The Indigenous Landscapes & 'Net-Zero Deforestation Zones programs will identify qualified point person(s) who is(are) responsible for ensuring compliance and tracking progress on environmental compliance. At the end of each fiscal year a report on environmental compliance will be submitted to the AOR for review and approval.

Additional Conditions and responsibilities:

- Each activity manager, Agreement or Contract Officer's Representative (A/COR) is responsible for making sure environmental conditions are met (ADS 204.3.4). In addition, A/CORs are responsible for ensuring that appropriate environmental guidelines are followed, mitigation measures in the IEE are funded and implemented, and that adequate monitoring and evaluation protocols are in place to ensure implementation of mitigation measures.
- Language from "Environmental Compliance: Language for Use in Solicitations and Awards – An Additional Help for ADS Chapter 204" must be included, as appropriate, in award documents (see: <http://www.usaid.gov/policy/ads/200/204sac.pdf>). It is the responsibility of the Assistance Objective (AO) Team and/or Contracts/Agreements Officer to ensure that

environmental compliance language from the ETD is added to procurement and obligating documents.

- Amendments to Initial Environmental Examinations (IEE) shall be submitted for LAC Bureau Environmental Officer (BEO) approval for any activities not specifically covered in the IEE, which include:
 - Funding level increase beyond ETD amount,
 - Time period extension beyond ETD dates (even for no cost extensions),
 - A change in the technical scope of work, such as the use of pesticides or activities subject to Foreign Assistance Act sections 118 and 119 (e.g. procurement of logging equipment), among others, and/or
 - A change in the geographic scope of work (e.g., moving the project into a new geographic area) that could result in potentially negative environmental impacts not otherwise contemplated.
- Amendments to IEEs include Environmental Assessments (EA or PEA) and approval of these documents by the LAC BEO could require an annual evaluation for environmental compliance.
- Under no circumstances will funds be used for: the procurement or use of pesticides or the purchase of equipment which could be used for commercial timber harvesting; nor activities, projects, or programs involving commercial timber harvesting unless the appropriate environmental assessment is conducted, and approved by the LAC/BEO.

 Date 05-16-2012
 Victor H. Bullen
 Bureau Environmental Officer
 Bureau for Latin America & the Caribbean
 Victor H. Bullen
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 Bureau for Latin America & the Caribbean

Copy to: Richard Goughnour, Mission Director,
 USAID/Peru
 Bruce Abrams, ADD
 Victor Merino, MEO
 Jason Girard, REA South America

Copy to: Robin Brinkley-Hadden, Mike Karbeling,
 LAC/SA

Copy to: IEE File

Attachments:

- Initial Environmental Examination Amendment

File: P:\LAC.RSD.PUB\RSDPUB\EES\Reg 216\IEE\IEE12\ LAC-IEE-12-23 ETD (SA – ICAA II, Indigenous Landscapes & Net-Zero Deforestation, amend LAC-IEE-11-76 and LAC-IEE-11-76)



AMENDED INITIAL ENVIRONMENTAL EXAMINATION

ACTIVITY LOCATION:	Selected Amazon Landscapes in Ecuador, Peru & Colombia
ACTIVITY TITLES:	‘Indigenous Landscapes: Ensuring Conservation and Capacity for Indigenous Lands Conservation’ & ‘Net-Zero Deforestation Zones: Demonstration Projects in the Andean Amazon’
ACTIVITY NUMBERS:	AID-OAA-A-11-00019 & AID-OAA-A11-00039
LIFE-OF-ACTIVITY FUNDING:	\$7,057,031 for AID-OAA-A-11-00019 & \$5,000,000 for AID-OAA-A-11-00039
LIFE-OF-ACTIVITY:	September 30, 2011 – September 29, 2014 for AID-OAA-A-11-00039 & September 30, 2011 – September 29, 2016 for AID-OAA-A11-00019
REFERENCE THRESHOLD DECISIONS:	LAC-IEE-11-74, LAC-IEE-11-76 & LAC-IEE-10-30
IEE DRAFTED BY:	Ryan Knight, Regional Environment Officer
DATE PREPARED:	April 4, 2012
RECOMMENDED THRESHOLD DECISION:	Categorical Exclusion & Negative Determination with Conditions.

1. BACKGROUND

The purpose of this Amended Initial Environmental Examination (IEE) is to approve specific activities under the ‘Indigenous Landscapes: Ensuring Conservation and Capacity for Indigenous Lands Conservation’ (‘ICAA2-TNC’ agreement number AID-OAA-A-11-00019) & ‘Net-Zero Deforestation Zones: Demonstration Projects in the Andean Amazon’ (‘NZDZ-TNC’ agreement number AID-OAA-A11-00039), in compliance with 22 CFR § 216. Both activities were recently awarded to The Nature Conservancy (TNC).

A deferral was issued to all activities under both cooperative agreements that were not categorically excluded from additional environmental review [see 22 CFR § 216.3(a) (7) (iii) Environmental Review After Authorization of Financing]. This is documented in Environmental Threshold Decisions (ETDs) [LAC-IEE-11-74](#) & [LAC-IEE-11-76](#), which also require that an amended IEE and new ETD be issued for specific activities once such activities were better defined, for example at the work plan approval stage.

This document therefore serves as the amended IEE requisite to satisfy the deferral requirements for individual project awards under the ICAA 2 and AmaZONAS Andinas Net-Zero Deforestation Zones program umbrellas. Note that additional IEE amendments will be required for any activities not specifically covered in this amended IEE, which include situations where:

- Funding levels are increased beyond the life-of-activity funding
- Time period of performance is extended beyond the life-of-activity
- There is a change in the scope of work or nature of specific activities

A Categorical Exclusion was issued under ETDs LAC-IEE-11-74 & LAC-IEE-10-30, pursuant to 22 CFR § 216.2 (c) (2), and this remains in effect. The Categorical Exclusion covers activities which include:

- Education, technical assistance, or training programs except to the extent such programs include activities directly affecting the environment (such as construction of facilities, etc.)
- Analyses, studies, academic or research workshops and meetings
- Studies, projects or programs intended to develop the capability of recipient countries to engage in development planning, except to the extent designed to result in activities directly affecting the environment (such as construction of facilities, etc.)

2. DESCRIPTION OF ACTIVITIES

2.1 Net Zero Deforestation (NZD)

a) **Component 1: Establishment of a voluntary Pact to reduce deforestation**

- Each NZD zone will establish a voluntary political agreement that defines the objectives of the program and establishes a commitment of each relevant actor to work together to achieve those objectives.
- Identification and mapping of key social actors (land owners, producer associations, indigenous peoples, NGOs, research organizations, others) of the NZD zones concerning forest and environmental issues.
- Development of a series of workshops and meetings with local communities and local authorities to create understanding and awareness regarding the projects.
- Study a strategy about legal and policy issues concerning the state of threats over forest, protected areas and indigenous territories.
- Support local authorities in the development of Regional Dialogues to address forest and REDD issues in the region.

- Organization of workshops with indigenous nationalities of San Martin, Sucumbíos and Caquetá to discuss the scope and goals of the project.
- b) Component 2: Establishment of the socio-economic and environmental baseline**
- Each NZD zone will describe and define the socio-economic and environmental baseline in order to know the conditions of the demonstration areas and prioritize interventions and measure results.
 - The reference emission level for each NZD zone will be defined based on historical data and existing information about emissions, and some workshops regarding this topic will be developed in the focused area.
 - Establishment of deforestation drivers for each demonstration area,
 - An evaluation of laws, norms, and rules, applied in each area and concerned with indigenous peoples and indigenous peoples rights will be carried out in Colombia, Peru and Ecuador.
 - An initial gender baseline analysis will be conducted within the three NZD zones in Peru, Ecuador and Colombia, which aims to identify differentiated gender roles in deforestation and degradation of forests.
- c) Component 3: Establishment of partnerships among stakeholders**
- Each NZD project will seek to formalize Memorandums of Understanding and/or Terms of Cooperation with relevant actors to define roles and responsibilities of each involved entity or stakeholder, establish a clear management and governance structure, and define communication strategies.
 - Develop a methodology to the process of applying the Prior, Free and Informed Consent and organize workshops with the indigenous nationalities to validate the proposal.
 - Dissemination and diffusion of the baseline, the zero deforestation pacts and its implementation.
 - Promote learning exchanges with other areas in relation to the management of the agricultural frontier and its expansion, forest management, REDD.
 - Support the REDD Roundtable with periodical meetings with the institutions involved with the project to improve its coordination and facilitate activities among them.
- d) Component 4: Improvement of land-use planning processes**
- The Consortium will work with government agencies and other relevant stakeholders to map and register lands and build capacity of relevant actors to participate in and manage effective land-use planning and conservation processes.
 - Technical support to relevant actors regarding to the methodology for zoning, aimed to best management of natural resources and land use planning in the three NZD zones by training courses.
 - Development of land use planning documents pursuant with the Life Plans of indigenous communities.
 - Local organizations will be strengthened in the areas of use and management of natural resources such as forests (reforestation techniques, agroforestry, seedling production, etc).
- e) Component 5: Implementation of mitigation and conservation strategies**
- Develop a diagnosis about the state of farmer's plots aimed to address sustainable practices.

- Design and implementation of a portfolio of mitigation and conservation strategies tailored to each area to effectively address the drivers of deforestation, restore degraded lands, and contribute to the low-carbon development.
- Design and establishment of sustainable agriculture systems such as silvopasture, agroforestry and reforestation, and develop different economic incentives that might be applied to the area for REDD activities.
- Develop proposals for projects oriented to conservation with indigenous and non-indigenous people.

f) Component 6: Institutionalization of strong forest governance systems

- The Consortium intend to create strong local institutions that have functioning lines of communication to sub-national and national government agencies as well as with other key stakeholders.
- Design a program for training and strengthening about management and decision making topics regarding to environmental issues, and sustainable land use management involving gender equity.
- Capacity building workshops with social organizations on subjects such as organizational strengthening, administrative issues, national environmental legislation, land rights, PES strategies (REDD), etc.
- Organization of agroecological fair to exchange experiences in natural resource management among indigenous and non-indigenous communities.
- Communities will be provided with technical support for the development of strategic planning documents (Quality of Life Plan) on natural resource management.

g) Component 7: Establishment of sustainable financial models

- The project will carry out a study on "Sustainable Financial Plans" at a national, regional and local level to evaluate existing and emerging sources of funding and to determine an appropriate portfolio of financial sources to assure the continuity of the activities long term for each NZD zone at Peru, Ecuador and Colombia.
- Based on the results of the financial study, changes in local, regional or national laws or regulations as well as financial mechanisms will be proposed.
- Different agreements will be signed at subnational and local level in order to include key project's activities in their annual work plan and budget.

h) Component 8: Design of benefit sharing arrangements

- Each NZD zone will carry out an evaluation of the options for sharing the benefits with relevant actors and; through a participatory process, to define effective, efficient, and transparent arrangements for benefit distribution.

2.2 Indigenous Landscapes (ICAA II)

a) Component 1: Strengthen Amazon Indigenous Organizations

In Peru (P1):

P1.1. In Peru and Ecuador, TNC will train indigenous and non-indigenous groups and local governments on the new laws and regulations that have been approved in the past two years regarding social participation, territorial management, municipal laws, and the national livelihoods plan to ensure that everyone has the information regarding their rights to participation and equitable distribution of resources.

P1.2. In Peru and Ecuador, as part of the annual evaluation process to measure indicators and in compliance with the performance plan, TNC will conduct an initial assessment of training initiatives implemented by the Consortium to date and to be planned and will elaborate a mechanism to monitor training workshops and capacity building. Since several training events already occurred during ICAA I, and several are proposed for ICAA II, TNC expect to measure the impact of the training on the men and women indigenous leaders and representatives, and what is proposed for the future.

P1.3. In Peru, IBC will work with the indigenous federations (FENACOCA, FECONAPIA, FECONAU, and ORAU) on institutional strengthening by holding training events on organizational management, based on the modules already developed; by ensuring that the indigenous federations are actively involved in with local governments in building a strong local system for environmental governance (SLGA-CAM), with governance institutions for protected areas, with other institutions and work groups engaged in advocacy work around threats to their territories and its natural resources, by being proactively involved with local development and participatory budgeting processes; and by conducting exchanges between federations at a regional and local level, as well as training workshops, to promote mutual learning.

P1.4. In Peru, IBC will develop with the indigenous organizations (FENACOCA, FECONAPIA, FECONAU, and ORAU) a strategic plan for communications and methods/technology for dissemination of key information to their base communities and to the general public, the government and other stakeholders regarding threats to their territories and adjacent protected areas and ways to reduce them. Conduct workshops, training courses and capacity building on relevant issues; conduct information campaigns to generate public opinion, and organize working groups.

P1.5. In Peru, IBC (in coordination with CIMA-Field Museum, GTZ-SERNANP El Sira Project, the ProNaturaleza-TNC-IBC Sierra del Divisor Project and with INDEPA) will work with the indigenous organizations (FECONAPIA, FENACOCA, FECONAU, ACONAMAC and ORAU) to provide training and technical support to assure that they play an active and constructive role in the Management Committees for three natural protected areas (El Sira Communal Reserve, Cordillera Azul National Park and Sierra del Divisor National Park) and three reserves for isolated indigenous peoples (Cacataibo Indigenous Reserve North and South, and the Isconahua Indigenous Reserve).

P1.6. In Peru, IBC, in coordination with INDEPA and the Regional Governments of Huanuco and Ucayali, will continue to work with the indigenous organizations of the three landscapes to carry out a combination of advocacy, education and negotiation efforts regarding indigenous

peoples rights vis-à-vis the negative impacts of petroleum-gas activities in six different blocks (107B, 131, 132B, 133, 138 and 162) and the future construction of the IIRSA highway between Pucallpa and Cruzeiro do Sul. In addition, similar efforts will be carried out regarding the protection of isolated indigenous groups (Cacataibo-Camano and Isconahua) through the establishment of two Indigenous Reserves (Cacataibo North and South) and the adaptation of the existing Isconahua Territorial Reserve to the recent legislation on the matter.

In Ecuador (E1):

E1.1. In Peru and Ecuador, TNC will train indigenous and non-indigenous groups and local governments on the new laws and regulations that have been approved in the past two years regarding social participation, territorial management, municipal laws, and the national livelihoods plan to ensure that everyone has the information regarding their rights to participation and equitable distribution of resources.

E1.2. In Peru and Ecuador, as part of the annual evaluation process to measure indicators and in compliance with the performance plan, TNC will conduct an initial assessment of training initiatives implemented by the Consortium to date and to be planned and will elaborate a mechanism to monitor training workshops and capacity building.

E1.7. In Ecuador, FEINCE will organize training courses on project design, financial and project management for Cofán leaders. FEINCE will continue training former participants as well as expand its offer to leaders of the Cofán communities (one level below FEINCE). (This set of training courses (among others) will be evaluated by activity P/E1.2.[1])

E1.8. In Ecuador, FEINCE will work with the Cofán women and the FEINCE women's group leader to engage with government agencies (especially the Ministry of Production - MIPRO) to obtain services from official programs directed at women. This activity will be linked to USAID-PROMUNI project whose work with indigenous groups is of a similar nature. The purpose is to empower women to more actively engage in decision making within the organization and outside.

E1.9. In Ecuador, FEINCE will hold training events on indigenous rights, current legislation and other legal mechanisms that have been created in the last two years, with the Cofán leaders. These courses were held four years ago but since then new laws have been created and it is vital for indigenous peoples to know intimately the regulation of Ecuador's new constitution.

E1.10. In Ecuador, FEINCE will expand the communication program in Cofán territories directed at families in neighboring communities as a means of reinforcing the management agreements they have already been signed but are not always being implemented (in Cofán Dureno with colonizers of El Triunfo - Cooperativa 28 of Julio; in Cofán Bermejo with the colonizers of the La Providencia sector).

E1.11. In Ecuador, FSC will strengthen and reinforce existing institutional capacity by contributing towards its administrative, equipment, communications and transport costs in order to consolidate and expand its territorial management systems.

E1.12. In Ecuador, FSC will organize and carry out training activities for Cofán leaders and FSC staff, and expand these activities to involve other non-Cofán groups outside of the present Cofán mosaic. FSC will continue with its driver's training course, and other capacity building events, utilizing the live-in FSC facilities in Quito along with the new Uttuvoé headquarters in Lago Agrio to carry out these activities.

E1.13. In Ecuador, FSC and FEINCE will strengthen relations with existing alliances and forge new alliances by participating in regional/national conferences or meetings on conservation and indigenous issues.

E1.14. In Ecuador, TNC will provide technical assistance to FEINCE and Fundación Cofán on issues related to climate change and preparing the institutional capacity and background necessary to implement market mechanisms, through training and technical advice, and also by engaging national authorities who are developing national policy.

E1.15. In Ecuador, TNC will start developing maps (such as vegetation, land use, watersheds and base maps) in the Cofán territories on the Colombian side using the methodology produced during ICAA I in the Cofán territories on the Ecuadorian side. This way the information that will exist is integrated for Ecuador and the Colombian side, and the Cofán nation can have an integrated, complete and standardized collection of information of their territories and neighboring areas, including areas of intense deforestation and degradation. This information will be given to the Cofán, under a training process, so they can use in future planning and land management exercises for bi-national initiatives.

Regionally (R1):

R1.16. At a regional level, COICA will implement a Geographic Information System (GIS) with all its components, of all available information regarding the Amazon basin. This geo data will be key to inform decisions and participation in local, national and international events. COICA will work with TNC to implement the GIS and receive training to ensure that the organization can manage the system independently.

The interaction with the Ministry of Environment of Ecuador will be middlemost to the implementation of this activity, since this Ministry is responsible for the management of protected areas and the creation of guidelines for the implementation of best practices in these territories. Both the strategy of training and technical content will be coordinated with the Ministry, and the material will be produced jointly.

R1.17. At a regional level, COICA will create a regional program to monitor and follow up on legal frameworks and actions being taken to protect indigenous peoples in voluntary isolation. The work of IBC and indigenous federations on the ground will be key to feed into the system.

R1.18. At a regional level, COICA will continue to participate in international events that deal with climate change, to ensure indigenous interests are taken into account. In particular, dialogue with international organizations, NGOs and other regional indigenous organizations is vital to create common ground over critical issues, such as REDD. Training workshops will be held with indigenous leaders of national and grassroots organizations on REDD and climate change.

R1.19. At the regional level, COICA will hold two training events on territorial management and co-management of protected areas, to develop a guide to the best practices in governance and protected areas.

b) Component 2: Reduce Threats to Indigenous Lands and Important Biodiversity Areas

In Peru:

P2.1. In Peru, IBC will improve community management of natural resources by revaluing local knowledge and traditional practices and reinforcing the customary legal framework for the use of natural resources. This activity focuses on recuperating lost knowledge for natural resources. It involves holding workshop with the community men and women elders. In particular, women elders will be focused on to systematize their knowledge on local resource use. Subsequently, local cultural events will be held to disseminate the traditional natural resource use.

P2.2. In Peru, during the first year of ICAA 2, with training and assistance from the social team of the Field Museum of Chicago based on their experience in the Cordillera Azul National Park, IBC will begin a new four-year effort to train and work with promoters from the local communities and from the indigenous federations (FENACOCA, FECONAPIA, and FECONAU) to develop long-term Community Quality of Life Plans for 35 indigenous communities which will include a diagnosis and mapping of the situation of the culture, economy and natural resources in the community, a vision for the future backed up by internal accords regarding land/resource use, priority development/conservation needs and accords with neighboring protected areas. This involves selection of the promoters with community members, developing the training and application modules, analysis of the information gathered and designing of the final products that easily communicate the resulting plans to each community.

P2.3. In Peru, IBC (in collaboration with an IBC project funded by the International Development Research Centre - IDRC) will work with the indigenous organizations (FECONAPIA and FENACOCA) to further train a network of Community Monitoring Committees to be recognized and empowered by the Municipal CAMs to protect the local fisheries and riparian forests and to ensure enforcement of accords regarding sustainable use and protection of these valuable resources. Some basic equipment will be required for mobilizing committee members and for recording and transmitting data. This activity is a direct result from

the indigenous exchange where leaders from Peru were able to learn about the Cofan patrolling program in Ecuador that was organized by the ICAA-ISU in 2009.

P2.4. In Peru, IBC will provide technical and material assistance to the member communities of three indigenous organizations located within the Pachitea watershed (FECONAPIA) to establish small family owned fish farms using fry of several native species from an IBC operated fish reproduction facility in Puerto Inca and to reestablish within river-fronted communities a healthy forest cover to the riparian zones using original native species prepared in community nurseries. Technical training, diagnosis of possible sites, establishment of fish ponds, reproduction and delivery of fry, diagnosis of riparian zones, establishment of community nurseries. This is a new activity for IBC under a new phase for ICAA that is a direct implementation of the management plans that were conducted in the communities during phase 1.

P2.5. In Peru, IBC will work to obtain official recognition of the Cacataibo and Isconahua territorial reserves. Legal actions for this activity were begun with ICAA I and IBC will continue to search for this declaration during 2010 and 2011 as necessary. This is particularly important in order to complement the conservation actions in the southern portion of the Sierra del Divisor Reserve Zone. This will depend on the technical capacity and political will of INDEPA, which this project proposes to support. IBC is currently coordinating with the head of INDEPA for it, together with the indigenous organizations involved at the regional and local level.

P2.6. In Peru, IBC will work with nine indigenous communities in the mosaic on physical demarcation of their territories and land use zoning, based on the ethno mapping that was done during ICAA I. There are nine communities in 2012, there are three for each landscape; however they are not yet defined.

P2.7. In Peru, CSF will produce a financial and economic cost-benefit analysis of the Pucallpa-Cruzeiro do Sul road. Based on preliminary research carried-out by CSF, the publication-quality report will measure the financial and economic costs of road construction, and produce a clear set of recommendations, including suggestions about project feasibility, compensation and mitigation mechanisms. The analysis will be based on secondary and primary data gathered during the research, an in-depth analysis of the demand for the road's services (disaggregated by origin and destination), and an assessment of the economic feasibility of the road, considering financial and environmental costs. This analysis will complement the work that TNC and IBC have already begun in ICAA I to document the potential impacts of the road on the ecosystems and local communities in the area. CSF will conduct this analysis during the first year of ICAA and the information will be transferred to TNC and IBC to be used in further discussions with government and other actors.

TNC will conduct this analysis with government annuance, especially in Ecuador. At the same time, there will be in-depth coordination with the ICAA-IR3 responsible person/team working on PES/economic incentives.

P2.8. In Peru, TNC will work with the regional governments to design a portfolio of conservation for water conservation and valuation of environmental services, by implementing science methods designed for decision making.

P2.9. In Peru, TNC will organize a national meeting to discuss the results of the feasibility studies of the Pucallpa-Cruzeiro do Sul road CSF will undertake.

P2.10. TNC is also committed to include an analysis of the Peruvian institutional settings at national and regional levels in its semiannual reports. This will help to build the scenarios about the opportunities and challenges involved. (This balance will be made directly by the TNC representative in Peru.)

In Ecuador:

E2.11. In Ecuador, CSF will start developing a 1) preliminary assessment of the impacts of mining, oil and infrastructure projects; 2) GIS database on current and future infrastructure (roads, mining, oil wells and platforms, refines, hydroelectric plants, plantations, etc.); 3) socio environmental and economic analysis of trends and future scenarios. These products will be used to generate a proposal of scheme for environmental and social compensation. The analysis will be based on secondary data. In addition, three workshops will be organized to socialize the activity among officials and representatives of the civil society.

E2.12. In Ecuador, as part of FEINCE's institutional strategic plan, they will explore ways to obtain more formal and legally binding recognition for indigenous lands (in coordination with Plan Ecuador). FEINCE will continue to work on a strategy with competent government authorities, in particular the SIGTierras program within the Ministry of Agriculture and Secretaría de los Pueblos, based on the new regulations of the Ecuadorian Constitution and the national biodiversity strategy.

E2.13. In Ecuador, FSC will continue to offer training for groups of Cofan park guards. A minimum of three one courses per year are to will be carried out over the next two years, with an average of 20 participants per course. The live-in facility in Quito will be used as the base for these courses.

E2.14. In Ecuador, TNC will provide technical assistance to the provincial government on land use planning and management. In Ecuador, TNC will work with the Sucumbíos provincial authority to implement the national land use zoning mandate, however incorporating special use areas such as indigenous lands and protected areas, identifying new areas for biodiversity conservation that can be named as municipal management areas, mapping out potential environmental services, in particular related to water, and planning out infrastructure projects to reduce or avoid environmental and social impacts.

E2.15. In Ecuador, TNC will use the geographic information produced during ICAA I on land use cover and deforestation in the Amazon region to work with provincial governments, in the

context of their land use plans, to create municipal conservation areas in several Amazon provinces and in coordination with SENPLADES. This will require participatory processes with local governments and in particular indigenous organizations that also have lands to be declared in several provinces. TNC will sign an agreement with the Sucumbíos and Pastaza provinces in the first year to begin this work.

Regionally (R):

R2.16. At the regional level, TNC will work with COICA to implement its action plan regarding climate change and biodiversity negotiations. TNC can help to build bridges between stakeholders and COICA to go more in depth into the discussions and proposals.

R2.17. TNC will participate in the meeting of the Sociedad Latinoamericana de Unidades Ambientales de Transportes (SLUAT; Latin American Society of Environmental Units of Transportation) in February this year (to be held in Cartagena, Colombia), which involves close coordination with the Dirección General de Asuntos Socio-Ambientales (DGASA; Directorate General of Socio-Environmental Affairs) of the Ministry of Transport and Communications (Peru), to prepare joint material in relation to the road Pucallpa-Cruzeiro do Sul (CdS).

c) Component 3: Establish Sustainability Mechanisms

In Peru (P.3):

P3.1. In Peru and Ecuador, TNC will contract an organization specialized in business plans to work with partners to identify the best potential activities that will generate income in the long run to sustain many project activities.

P3.2. In Peru, IBC will work with eight Municipal Governments in the Sierra del Divisor and Pachitea landscapes to strengthen the Local System for Environmental Governance (SLGA) by establishing the Municipal Environment Commissions (CAM) which will serve as the key institutional bridge between local communities, the indigenous organizations and the municipal governments to assure a legal basis for the Community Monitoring Committees and their special role in protecting and managing local fisheries and forests. As complementary activity to the actions being done with local authorities during ICAA I, TNC have advocacy work, legal training and education on environmental issues with municipal leaders; workshops and exchanges among municipal leaders and indigenous organizations.

P3.3. In Peru, under an expanded work plan, TNC will work with the government officials in the San Martin departments to conduct a feasibility assessment of implementing a water fund as a long term funding mechanism for conservation and development activities in the mosaic. There is a possibility of implementing the water fund in Tarapoto-Lamas that is near the Regional Conservation Area Cordillera Escalera. The water fund has general components as such: 1) and ecosystem services mechanism that includes people and nature; 2) sustainable financial mechanisms with transparent management; 3) multi-stakeholder institutional mechanisms including public and private partnerships; 4) concrete conservation actions to generate services

and conservation benefits; and 5) an accountability system to ensure delivery of services and protection of natural ecosystems.

P3.4. In Peru, parallel to CSF's cost benefit analysis of the Pucallpa-Cruzeiro do Sul road, TNC will conduct an analysis of the historical land uses for agriculture and cattle grazing in the mosaic. These studies will focus on specific recommendations about alternative productive activities for indigenous peoples as well as colonists that would be the focus during ICAA II. The current USAID financed Program for Alternative Development in Selva Central will be the prime reference for the types of activities to be implemented.

P3.5. In Peru, as part of the expansion of activities, TNC will conduct activities in the buffer zone of the Cordillera Azul National Park (in the San Martin department) in coordination with local actors, in particular Fundación CIMA and others (NGOs, local producers, indigenous groups, etc.) to identify potential activities to improve livelihoods strategies and natural resource management. Amongst the specific activities for year 1, TNC will conduct a general assessment of the local groups, based on the recently updated management plan developed for the park in 2009 by Fundación CIMA with other funding sources. The regional government will be directly involved since the northern section of the park is in the San Martin district.

P3.6. In Peru, TNC will organize a field trip for the identification of opportunities for activities with local actors (grassroots organizations, local authorities, etc.) for the implementation of projects related to climate change and REDD+.

In Ecuador (E.3):

E3.1. In Peru and Ecuador, TNC will contract an organization specialized in business plans to work with partners to identify the best potential activities that will generate income in the long run to sustain many project activities.

E3.7. In Ecuador, FEINCE will work with government entities, in particular new agencies that have been created to specifically work with indigenous peoples to explore manners to ensure more legal security for their territorial lands and means to obtain resources to finance the organization's strategic plan.

E3.8. In Ecuador, FEINCE will register three more Cofán communities into the Socio Bosque program, Chandia Na'en, Duvuno and Sinangoe.

E3.9. In Ecuador, FSC will use funding from ICAA in order to cover the one-time start-up costs involved in facilitating the operations of the newest conservation areas being integrated into the mosaic (Gonzalo Pizarro and Cascales), along with replacement of equipment for the present systems. Local funding secured will increasingly be used to cover salaries, food, and other basic needs, but the additional equipment costs will need to be provided from outside sources in order to ensure that the new programs are strong and effective.

E3.10. In Ecuador, FSC will continue to work with key local and national government agencies and with the Ministry of Environment to engage in planning and actions that will contribute to conservation on indigenous lands. This involves holding dialogue events which will allow lobbying for direct government support of indigenous management and conservation systems, and furthering the goal of encouraging local governments to pay for operational costs, as in the successful case of the new Reserva Municipal La Bonita park guard program.

E3.11. In Ecuador, FSC will work with FEINCE to secure more support for conservation work from national environmental services markets via meetings and dialogues with the Socio Bosque. The goal will be to replicate and expand the agreements already successfully implemented via Socio Bosque in Rio Cofanes, Dureno, and Zabalo, in additional Cofán mosaic and border territories and across the border in Peru in the region of the Zona Reservada Guepii.

E3.12. In Ecuador, TNC will hire a consultant to work with TNC and SENAGUA to generate a portfolio of priority sites for conservation of freshwater (1:250,000) and apply the methodology for the region of Sucumbíos (Napo basin or demarcation of Napo, following SENAGUA) at 1:50,000 and get a regional portfolio there. This will serve to determine priorities for the National Water Resources Plan, and may also serve for the planning of the provincial governments.

E3.13. In Ecuador, TNC will work with the national government, in particular, the sub-secretary of climate change in the Ministry of Environment on the national REDD strategy and the monitoring of deforestation in the Amazon. This activity implies organizing work meetings, supporting workshop and working with the sub-secretariat and other interested groups.

Regionally (R.3):

R3.14. At the regional level, TNC and COICA will work to implement the action plan regarding Rio + 20. It implies to create and strengthen a position based on: a) a green economy as a new model for sustainable development, b) climate change and REDD, c) biodiversity and shared access to genetic resources, d) protected areas, and e) indigenous rights.

3. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACT

3.1 Net Zero Deforestation (NZZ)

The following activities listed under the eight components of NZZ could potentially have minor and mitigateable environmental impacts.

Component 4: Improvement of Land-Use Planning Processes

- Technical support to relevant actors regarding to the methodology for zoning, aimed to best management of natural resources and land use planning in the three NZZ zones by training courses.

- Local organizations will be strengthened in the areas of use and management of natural resources such as forests (reforestation techniques, agroforestry, seedling production, etc).

Component 5: Implementation of mitigation and conservation strategies

- Develop a diagnosis about the state of farmer's plots aimed to address sustainable practices.
- Design and implementation of a portfolio of mitigation and conservation strategies tailored to each area to effectively address the drivers of deforestation, restore degraded lands, and contribute to the low-carbon development.
- Design and establishment of sustainable agriculture systems such as silvopasture, agroforestry and reforestation, and develop different economic incentives that might be applied to the area for REDD activities.
- Develop proposals for projects oriented to conservation with indigenous and non-indigenous people.

Component 6: Institutionalization of Strong Forest Governance Systems

- Communities will be provided with technical support for the development of strategic planning documents (Quality of Life Plan) on natural resource management.

In the Component 5: "Implementation of Mitigation and Conservation Strategies", in particular, all sub-activities of that component are listed because in the three NZD zones considers the design and establishment of sustainable agriculture systems such as agroforestry, silvopasture and reforestation; therefore there are a variety of potential environmental impacts.

First, TNC will develop activities involving to natural protected areas buffer zones residents (especially in Ecuador and Peru), regarding appropriate use of natural resources and small scale diversified agriculture systems in order to reduce pressure on these forest. Therefore, TNC plans the construction of nurseries at small scale for the production of trees and crops like coffee and cocoa. Although the nurseries production will be at small scale, it might be financially covered by the local government at the end of the project, and they can extend the activity in future.

Second, in case of Ecuador and Colombia, TNC will work with indigenous territories which maintain high biodiversity within their territories; actions taken there might cause environmental consequences. For instance, alternative activities such as ecotourism can be part of the financial plan of the area to bring sustainability to the local people. Another example can be the establishment of markets for the productions of indigenous handicrafts, especially made by women.

In the case of the other activities under the eight components and not listed here, TNC anticipates no potential environmental impacts as they fall under the categories for exclusion.

The project considers some specific activities and conditions to mitigate the potential impacts cause by the implementation of this component:

- NZD will develop a specific diagnosis of the potential areas where the mitigation and conservation activities will be implemented in order to reduce the risks of impacts, like the use of agrochemicals for the nurseries, or the introduction of grass.

- NZD will promote the use of organic pesticides and fertilizers for the production of coffee and cacao as well as native trees.
- NZD will assist local communities to develop their business plans in case of implementation of ecotourism activities, use of non-timber resources, sell of crafts, etc.
- NZD will develop a training program with local communities related to environmental issues.

3.2 Indigenous Landscape (ICAA II)

The following activities listed under the three components of ICAA II could potentially have minor and mitigateable environmental impacts.

Component 2: Reduce Threats to Indigenous Lands and Important Biodiversity Areas

P2.1
P2.2
P2.3
P2.4
P2.7
P2.8
E2.13
E2.14
E2.15

Component 3: Establish Sustainability Mechanisms

P3.5
E3.1
E3.9
E3.12

4. RECOMMENDED ENVIRONMENTAL THRESHOLD DECISION

SAR- Env. proposes that the BEO issue a:

4.1 Categorical Exclusion

USAID/SAR-Env recommends a categorical exclusion for all those TNC activities of the eight NZD and three ICAA II components not specifically listed under sections 3.1 and 3.2 of this document. These activities will not have an impact on the physical or natural environment and fall within the classes of actions described in the following categories of the Agency's Environmental Procedures, 22 Code of Federal Regulations (CFR) Part 216.2(c)(2):

- (iii) Education, technical assistance, or training programs except to the extent such programs include activities directly affecting the environment (such as construction of facilities, etc.);
- (iv) Controlled experimentation exclusively for the purpose of research and field education which are confined to small areas and carefully monitored;
- (iii) Analyses, studies, academic or research workshops and meetings;
- (v) Document and information transfers;

- (xiii) Matching, general support and institutional support grants provided to private voluntary organizations (PVOs) to assist in financing programs where A.I.D.'s objective in providing such financing does not require knowledge of or control over the details of the specific activities conducted by the PVO; and
- (xiv) Studies, projects or programs intended to develop the capability of recipient countries to engage in development planning, except to the extent designed to result in activities directly affecting the environment (such as construction of facilities, etc.)

4.2 Negative Determination with Conditions

USAID/SAR-Env recommends a Negative Determination with Conditions for following TNC NZD and ICAA II Activities, as organized by their respective components.

4.2.A. Net Zero Deforestation (NZD)

Component 4: Improvement of Land-Use Planning Processes

- Technical support to relevant actors regarding to the methodology for zoning, aimed to best management of natural resources and land use planning in the three NZD zones by training courses.
- Local organizations will be strengthened in the areas of use and management of natural resources such as forests (reforestation techniques, agroforestry, seedling production, etc).

Component 5: Implementation of mitigation and conservation strategies

- Develop a diagnosis about the state of farmer's plots aimed to address sustainable practices.
- Design and implementation of a portfolio of mitigation and conservation strategies tailored to each area to effectively address the drivers of deforestation, restore degraded lands, and contribute to the low-carbon development.
- Design and establishment of sustainable agriculture systems such as silvopasture, agroforestry and reforestation, and develop different economic incentives that might be applied to the area for REDD activities.
- Develop proposals for projects oriented to conservation with indigenous and non-indigenous people.

Component 6: Institutionalization of Strong Forest Governance Systems

- Communities will be provided with technical support for the development of strategic planning documents (Quality of Life Plan) on natural resource management.

4.2.B. ICAA II Indigenous Landscapes

Component 2: Reduce Threats to Indigenous Lands and Important Biodiversity Areas

P2.1
P2.2
P2.3
P2.4
P2.7
P2.8
E2.13

E2.14

E2.15

Component 3: Establish Sustainability Mechanisms

P3.1

P3.5

E3.1

E3.9

E3.12

4.2.C. Conditions:

The implementing partner is responsible for 22 CFR § 216 compliance for all of its sub-partners via grants under contract, grants under grants and subcontracts.

All program activities that fall within a Negative Determination with Conditions and/or their related grants under contract will undergo site-specific environmental analysis utilizing either the *Environmental Monitoring Performance Report* (EMPR) format (for activities in Peru), SIGA's '*Ficha Ambiental*' (for activities in Ecuador), MONITOR's '*Ficha Ambiental*' (for activities in Colombia) or some other format approved by the MEO. Any deviation from this procedure should be approved by the REA prior to implementation.

The implementing partner will monitor and apply appropriate mitigation measures, such as adequate best agricultural practices, environmental certifications (organic-, fair-trade-, and/or rainforest alliance-certified) agriculture and ecotourism, per LAC Environmental Guidelines. Signage and personnel security are other environmental and environmental-safety measures that should be applied by the implementing partner. All field-based that could have an impact on the environment shall comply with guidelines contained in USAID Environmental Guidelines for Development Activities in Latin America and the Caribbean¹, specific chapters/sections that apply:

- Chapter 2: Small Scale Infrastructure:
 - A. Construction activities
- Chapter 7: Ecotourism
- Chapter 8: Agriculture and Watershed Management:
 - A. Soil and water conservation
 - B. Stream bank protection and reforestation
 - D. Pesticides and IPM – If pesticides/IPM are to be promoted.
- Chapter 9: Forestry:
 - A. Reforestation
 - C. Agroforestry

5. ADDITIONAL CONDITIONS & RESPONSIBILITIES

¹ For English see: http://www.usaid.gov/locations/latin_america_caribbean/environment/docs/epiq/epiq.html;
for Spanish see: http://ecuador.usaid.gov/portal/component/option.com_docman/task.cat_view/gid.61/Itemid.160/

- Each activity manager, Agreement or Contract Officer's Representative (A/COR) is responsible for making sure environmental conditions are met (ADS 204.3.4). In addition, A/CORs are responsible for ensuring that appropriate environmental guidelines are followed, mitigation measures in the IEE are funded and implemented, and that adequate monitoring and evaluation protocols are in place to ensure implementation of mitigation measures.
- Language from "Environmental Compliance: Language for Use in Solicitations and Awards – An Additional Help for ADS Chapter 204" must be included, as appropriate, in award documents (see: <http://www.usaid.gov/policy/ads/200/204sac.pdf>). It is the responsibility of the Assistance Objective (AO) Team and/or Contracts/Agreements Officer to ensure that environmental compliance language from the ETD is added to procurement and obligating documents.
- Amendments to Initial Environmental Examinations (IEE) shall be submitted for LAC Bureau Environmental Officer (BEO) approval for any activities not specifically covered in the IEE, which include:
 - Funding level increase beyond ETD amount,
 - Time period extension beyond ETD dates (even for no cost extensions),
 - A change in the technical scope of work, such as the use of pesticides or activities subject to Foreign Assistance Act sections 118 and 119 (e.g. procurement of logging equipment), among others, and/or
 - A change in the geographic scope of work (e.g, moving the project into a new geographic area) that could result in potentially negative environmental impacts not otherwise contemplated.
- Amendments to IEEs include Environmental Assessments (EA or PEA) and approval of these documents by the LAC BEO could require an annual evaluation for environmental compliance.
- Under no circumstances will funds be used for: the procurement or use of pesticides or the purchase of equipment which could be used for commercial timber harvesting; nor activities, projects, or programs involving commercial timber harvesting unless the appropriate environmental assessment is conducted, and approved by the LAC/BEO.

Approval:

Richard Goughnour
Mission Director, USAID/Peru

Date: _____

Concurrence:

Date: _____

Jason Girard
Regional Environment Advisor (S.Amer.)

Clearances:

SAR/Env (Ecuador): MSuquilanda by email 05/08/2012

ADD:BAbrams _____


Cc:

Ecuador/MEO: PZavala

Peru/MEO: VMerino

SAR/Env: CCampbell

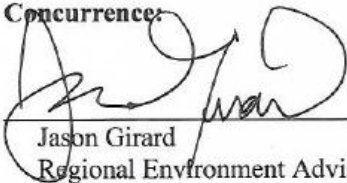
Approval:



Richard Goughnour
Mission Director, USAID/Peru

Date: 5/11/2012

Concurrence:

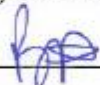


Jason Girard
Regional Environment Advisor (S.Amer.)

Date: 5/8/12

Clearances:

SAR/Env (Ecuador): MSuquilanda by email 05/08/2012

ADD:BAbrams  _____



GUIDELINES FOR IMPLEMENTING PARTNERS ON THE USAID LAC ENVIRONMENTAL MITIGATION PLAN & REPORT (EMPR)

August 18th, 2009

A. Background

All projects funded by USAID must conform to US environmental regulations (22 CFR 216) requiring evaluation to ensure that no adverse environmental impacts result from the projects, that cannot be mitigated. All USAID programs funded through USAID LAC Missions fall under an Environmental Threshold Decision (ETD) designated at the Strategic Objective level. The Environmental Mitigation Plan & Report (EMPR), so described by these guidelines, ensures programmatic compliance with 22 CFR 216 by meeting the conditions specified in the applicable ETDs authorized by the USAID Latin America and the Caribbean (LAC) Bureau Environmental Officer (BEO).

Programs implemented by USAID LAC Mission implementing partners (IPs) include a range of discrete-activities under various awards that will likely have a risk for adverse environmental impact. Illustrative discrete activities include building refurbishment and medical waste management. This EMPR procedure will provide for both the screening for environmental risk, preparation of a mitigation plan and reporting on monitoring of these mitigation measures, which require that appropriate consideration is given to gender as a social impact factor in the development of a mitigation plan and subsequent measures.

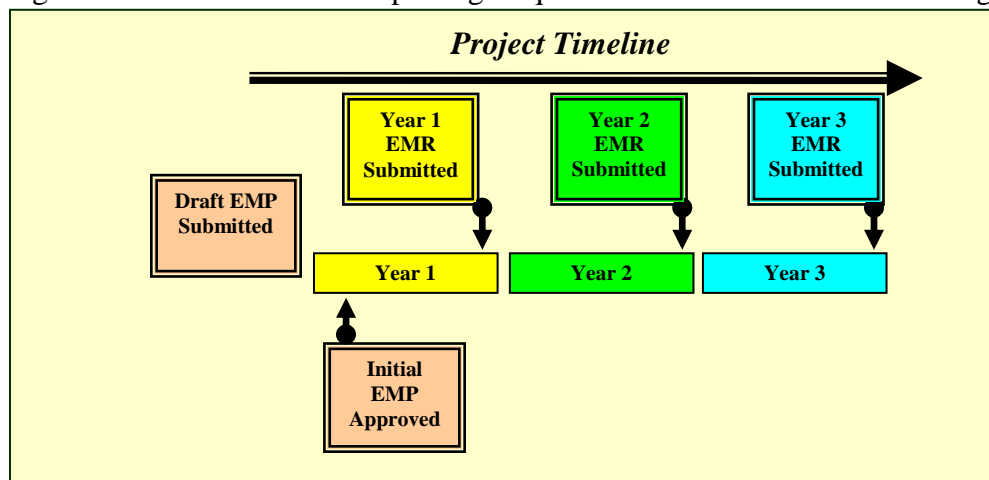
The EMPR initially categorizes projects into three types: No Risk, Medium Risk and High Risk. Those with No Risk can continue without further review. Those with High Risk must be reconsidered for the need of an Environmental Assessment. The EMPR deals with those projects at Medium Risk (*see Figure 2*).

All grantees/contractors will be required to fill out an Environmental Mitigation Plan & Report (as attached) per project type that includes:

1. The Environmental Screening Form,
2. The Identification of Mitigation Plan, and
3. The Environmental Monitoring and Tracking Table.

Program managers/COTRs and Chiefs of Parties can work with the USAID Mission Environment Officer (MEO) to ensure impacts are sufficiently identified and mitigation actions are agreed upon, including clear guidance on the procedures for gender integration where fitting.

Figure 1: Timeline of Reporting Requirements for Environmental Mitigation



B. Timing of Reporting Requirements

During the acquisition process, the applicant or contractor submits a suggested/draft EMPR. Gender issues must be addressed in the Environmental Mitigation Plan in keeping with the Agency's executive message on gender integration dated May 4, 2009. Once the Implementing Partner is chosen, a revised initial EMPR is submitted by the applicant or contractor to the COTR, Mission Environmental Officer, and Regional Environmental Officer for approval before commencing activities. For sub grants, the grantee is required to fill out the EMPR and submit it for approval to the Chief of Party (COP). The COP then submits the EMPR for review and final approval to the COTR and MEO. Gender issues must be addressed in the EMPR in keeping with the Agency's executive message on gender integration dated May 4, 2009.

A format for this initial EMPR can be seen in attachment 1; it includes:

An initial screening process using the "Environmental Screening Form" (Appendix 1, Table 1) to assure the project is at the Medium Risk Level followed by,

The identification of potential impacts and related mitigation measures using the "Identification of Mitigation Plan" (Appendix 1, Table 2) for each sub-activity.

The Environmental Monitoring and Tracking Table (Appendix 1 Table 3) that documents the necessary mitigation measures to be monitored, lists monitoring indicators, and includes who will conduct the monitoring when. Table 3 also includes a monitoring chart that documents who conducted the monitoring and the effectiveness of the mitigation measures.

At the end of each year of implementation, the EMPR is resubmitted with the same information as provided initially, plus a component reflecting the status of implementation and effectiveness monitoring, of the identified mitigation measures using the "Environmental Monitoring and Tracking Table" (Appendix 1, Table 3). This table will be used for project environmental monitoring and will be submitted to the USAID Contracting Officer's Technical Representative (COTR), formerly known as CTO, on an annual basis along with the initial EMPR as well as a

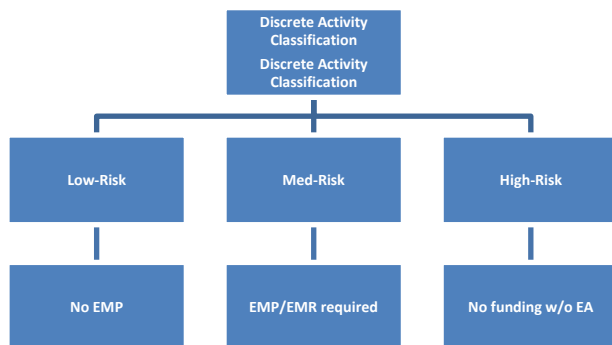
narrative providing details on the mitigation process. The report should not exceed ten pages (excluding annexes).

C. Initial Environmental Mitigation Report

1. Classification of Level of Risk

Components of a program or discrete activities under an award can have varying levels of risk for environmental damage and therefore require different courses of action (Figure 2). No-risk activities, classified under “i” below, do not require the EMPR as they are already addressed under a “categorical exclusion” determination in the original SO-level IEE and Environmental Threshold Decision at the Mission. High-risk activities (“ii”) will have significant environmental impacts that will require an Environmental Assessment (EA) contracted through the IP with MEO consultation to a professional Environmental Impact organization with final approval by the LAC Bureau Environmental Officer. Such activities are not to be avoided if they meet a crucial need of the community (e.g., solid waste disposal facility, municipal-scale waste water treatment plant). Medium-risk activities (“iii”) will require the IP to screen environmental impacts and plan for mitigation of adverse environmental impacts. It is to these medium-risk activities that this EMPR guidance primarily applies.

Figure 2: Schematic of required action based on the level of risk of a component or discrete activity under an award.



Discrete Activities that Do Not Require Mitigation Plans (No-Risk):

An illustrative list of no-risk discrete activities where no mitigation reporting is required includes:

- Education or training*, unless it implements or leads to implementation of actions that impacts the environment (such as construction of schools or use of pesticides),
- Community awareness initiatives,
- Controlled research/demonstration projects in a small area,
- Technical studies or assistance,
- Information transfers.

If there is a risk that the actual implementation of materials learned during training could adversely impact the environment (e.g., training on agricultural techniques), the training is

expected to include as part of its curriculum, an analysis of environmental impacts and planning for mitigation.

Discrete Activities that Cannot be Supported (High-Risk):

Under the environmental regulations of USAID, if there is a discrete activity which is considered critical to the needs of the community that may have a significant environmental impact, such activities will require an Environmental Assessment. In the case of pesticide use a Pesticide Evaluation Report and Safer Use Action Plan (PERSUAP) will need to be prepared by the partner and approved by the USAID Latin America and the Caribbean (LAC) Bureau Environmental Officer (BEO). Such activities include but are not limited to:

- Agricultural, livestock introduction or other activities that involve forest conversion,
- Resettlement of human populations,
- Large water management systems such as dams or impoundments,
- Drainage of wetlands,
- Introduction of exotic plants or animals,
- Permanent modification of the habitat supporting an endangered species,
- Industrial level plant production or processing (this does not include community or regional plant nurseries aimed at restoring areas after fires),
- Installation of aquaculture systems in sensitive lakes, marine waters (not land-based fish ponds),
- Procurement of timber harvesting equipment, including chainsaws,
- Use of pesticides (insecticides, herbicides, acaricides, fungicides),
- Large scale construction in un-degraded land,
- Large scale new construction involving permanent living quarters and/or sanitation facilities,
- Cutting of trees over 20 cm diameter breast height, especially tropical trees, except as needed to control disease or maintain forest health.
- Construction of new roads or upgrading/maintenance of extensive road, fire break or trail systems through un-degraded forest land or natural habitats.

Discrete Activities that can be Supported if Mitigation Measures are Planned and Implemented (Medium-Risk):

Many discrete activities under an agreement will fall between the two extremes mentioned above and offer some adverse environmental impact that can be mitigated with proper planning. For these activities the Implementing Partner (IP) will be responsible for completing the EMPR on an annual basis.

2. Sector-Specific Environmental Screening Form

The Environmental Screening Form contains information relevant to the potential environmental impact over the life of activity to natural resource and communities, local planning permits, and environment and health. If items in the Environmental Screening Form (Appendix 1, Table 1) from Column “A” are checked then items for monitoring and mitigation are to be specified in the

“Identification of Mitigation Plan” (Appendix 1, Table 2). The Mitigation Plan simply outlines the plan of action for mitigation of planned activities. The Mission Environmental Officer is to approve these forms, with special attention to those projects with identified impacts (i.e., projects with any check marks in Column A).

For reference on mitigation information on a wide variety of discrete activities, refer to the “USAID LAC Environmental Guidelines”. Illustrative sector-specific guidelines include: WHO guidelines for handling and disposal of medical waste, “Low-Volume Roads Engineering: Best Management Practices Field Guide (Keller and Sherar, 2003)” and the World Wildlife Fund Agriculture and the Environment handbook.

D. Annual Environmental Mitigation Report

On an annual basis each implementing partner will submit an “Environmental Mitigation Report” using the attached EMPR Table 3 (Appendix1). The EMPR contains information relevant to the potential environmental impact over the life of a discrete activity under an award and includes: A) a copy of the initial EMPR completed during the initial project planning (reference section B above); B) the prescribed mitigation measures using the “Identification of Mitigation Plan (Appendix 1, Table 2)”; and C) synthesized data on these mitigation measures collected throughout the year and tracked in the Environmental Monitoring and Evaluation Tracking Table (Appendix 1, Table 3). As it is often difficult to quantitatively measure progress of complex mitigation measures, it is necessary to include inserted digital photos (with relevant maps) to describe progress of mitigation activities.

USAID Mission requires that Implementing Partners clearly demonstrate competence in implementing discrete activities using best management practices which most often will provide the additional benefit of environmental protection. In addition, the mitigation activities should consider the critical importance of integrating gender considerations in all stages of planning, programming, implementation, and monitoring of USAID activities.

Sections of the EMPR include:

- EMPR Coversheet
- EMPR Narrative (to be filled out with project specific information)
- Annexes:
 - Environmental Screening Form (Table 1),
 - Identification of Mitigation Plan (Table 2)
 - Environmental Monitoring and Evaluation Tracking Table (Table 3).
 - Photos, Maps, Level of Effort

Reference: February 8, 2007; L. Poitevien (USAID/Haiti), M. Donald (USAID/Dominican Republic), E. Clesceri (USAID/Washington). Guidelines for Implementing Partners on the USAID Haiti Environmental Mitigation Report.

**GUIDELINES FOR IMPLEMENTING PARTNERS ON THE USAID LAC
ENVIRONMENTAL MITIGATION PLAN & REPORT (EMPR)**

Appendix 1:

I. Coversheet for ENVIRONMENTAL MITIGATION PLAN & REPORT
(EMPR)

USAID MISSION SO # and Title: _____

Title of IP Activity: _____

IP Name: _____

Funding Period: FY_____ - FY_____

Resource Levels (US\$): _____

Report Prepared by: Name:_____ Date: _____

Date of Previous EMPR: _____ (if any)

Status of Fulfilling Mitigation Measures and Monitoring:

_____ Initial EMPR describing mitigation plan is attached (Yes or No).

_____ Annual EMPR describing status of mitigation measures is established and attached (Yes or No).

_____ Certain mitigation conditions could not be satisfied and remedial action has been provided within the EMPR (Yes or No).

USAID Mission Clearance of EMPR:

Contracting Officer's Technical Representative:_____ Date: _____

Mission Environmental Officer: _____ Date: _____
()

Regional Environmental Advisor: _____ Date: _____
()

II. Environmental Mitigation Plan & Report Narrative

Note: summary instructions are in italics and not to be included in the report, but rather should be filled out with project specific information)

Note: Outline to be included in the report is in bold.

1. Background, Rationale and Outputs/Results Expected:

Summarize and cross-reference proposal if this review is contained therein.

2. Activity Description:

Succinctly describe location, site details, surroundings (include a map, even a sketch map). Provide both quantitative and qualitative information about actions needed during construction, how intervention will operate and any ancillary development activities that are required to build or operate the primary activity (e.g., road to a facility, need to quarry or excavate borrow material, need to lay utility pipes to connect with energy, water source or disposal point or any other activity needed to accomplish the primary one but in a different location). If various alternatives have been considered and rejected because the proposed activity is considered more environmentally sound, explain these. Describe how gender considerations have been incorporated into the activity. How will gender relations affect the achievements of activity results? How will the activity results affect the relative status of men and women?

3. Environmental Baseline:

Describe affected environment, including essential baseline information available for all affected locations and sites, both primary and ancillary activities. Describe how the activity will involve men and women who directly affect the environment. Methodologies for data collection and analysis for gender-sensitive implementation and monitoring of activities are encouraged.

4. Evaluation of Environmental Impact Potential of Activities (Table 2):

As a component of the Identification of Mitigation Plan (Appendix 1, Table 2), describe impacts that could occur before implementation starts, during implementation, as well as any problems that might arise with restoring or reusing the site, if the facility or activity were completed or ceased to exist. Explain direct, indirect, induced and cumulative effects on various components of the environment (e.g., air, water, geology, soils, vegetation, wildlife, aquatic resources, historic, archaeological or other cultural resources, people and their

communities, land use, traffic, waste disposal, water supply, energy, etc.). Indicate positive impacts and how the natural resources base will be sustainably improved.

For example, any activity that increases human presence in an area, even temporarily, will increase noise, waste, and the potential for hunting, timbering, etc.

Evaluating the environmental impact potential of activities must include gender-sensitive indicators and sex-disaggregated data when the activities or their anticipated results involve or affect women and men differently; and if so, this difference should be an important factor in managing for sustainable activity impact.

5. Environmental Mitigation Actions (Tables 2 & 3):

For the Initial EMPR: List the mitigation measures in the “Identification of Mitigation Plan” (Table 2) and describe monitoring of these mitigation measures in the “Environmental Monitoring and Evaluation Tracking Table” (Table 3).

For the EMPR: Describe status of complying with the conditions. Examples of the types of questions an IP should answer to describe “status” follow.

- 1) What mitigation measures have been put in place? How is the success of mitigation measures being determined? If they are not working, why not? What adjustments need to be made?
- 2) What is being monitored, how frequently and where, and what action is being taken (as needed) based on the results of the monitoring? In some situations, an IP will need to note that the monitoring program is still being developed with intent to satisfy the conditions. Alternatively, it could happen that the conditions cannot be achieved because of various impediments.

1. GENDER

Integrating gender considerations into all stages of planning, programming, and implementation of development assistance is not only a priority for USAID, but also an essential part of effective and sustainable development. The Automated Directive System (ADS) 201 sets out specific requirements to help ensure that appropriate consideration is given to gender as a factor in development planning at the Assistance Objective and the Intermediate Results level of Assistance Objectives all the way down to the activity level. This programming policy includes clear guidance on the procedures for gender integration where determined to be appropriate. In this regard, gender issues must be addressed in procurement documents and evaluation criteria. Gender equality is a USG-wide priority, and USAID has and will continue to a

take a lead role in that effort. For example, USAID/Environmental Protection Program monitors how men and women will be involved in the process of improving the Dominican Republic's Environmental impact assessment procedures. The Program is documenting gender participation in all of its activities. Whenever possible, gender based differences in roles, attitudes and concerns should also be documented.

III-A. Environmental Screening Form (Table 1)

Name of Activity: _____ Type of Activity: _____ Grantee: _____ Date: _____		Column A	Column B	Col C	
		Yes	No	If answered yes to Col. A. is it a--?	
				High Risk	Medium-Risk
IMPACT ON NATURAL RESOURCES & COMMUNITIES					
1	Will the project involve construction ¹ of any type of structure (building, check dam, walls, etc)?				
2	Will the project involve the construction ² or repair of roads or trails?				
3	Will the project involve the use, involve plans to use or training in the use of any chemical compounds such as pesticides ³ (including neem), herbicides, paint, varnish, lead-based products, etc?				
4	Involve the construction or repair of irrigation systems?				
5	Involve the construction or repair of fish ponds?				
6	Involve the disposal of used engine oil?				
7	Will the project involve implementation of timber management ⁴ or extraction of forest products?				
8	Are there any potentially sensitive terrestrial or aquatic areas near the project site, including protected areas?				
9	Does the activity impact upon wildlife, forest resources, or wetlands?				
10	Will the activities proposed generate airborne gases, liquids, or solids (i.e. discharge pollutants)?				
11	Will the waste generated during or after the project impact on neighboring surface or ground water?				
12	Will the activity result in clearing of forest cover?				
13	Will the activity contribute to erosion?				
14	Is the activity incompatible with existing land use in the vicinity?				
15	Will the activity contribute to displace housing?				
16	Will the activity affect unique geologic or physical features?				
17	Will the activity contribute to change in the amount of surface water in any body?				
18	Will the activity deal with mangroves and coral reefs?				
19	Will the activity expose people or property to flooding?				
20	Will the activity contribute substantial reduction in the amount of ground water otherwise available for public water supplies?				
21	Will the activity create objectionable odors?				
22	Will the activity violate air standard?				
ENVIRONMENT & HEALTH					
23	Will the project activities create conditions encouraging an increase of waterborne diseases or populations of disease carrying vectors?				
24	For road rehabilitation as well as water and sanitation grants, has a maintenance plan been submitted?				
25	Will the activity generate hazards or barriers for pedestrians, motorists or persons with disabilities?				
26	Will the activity increase existing noise levels?				
27	Will the project involve the disposal of syringes, gauzes, gloves and other biohazard medical waste?				
28	Is the activity incompatible with existing land use?				

LOCAL PLANNING PERMITS					
29	Does the activity e.g. infrastructure improvements, require local planning permission(s)?			N/A	N/A
30	Does the activity meet the national building code (e.g. infrastructure improvements)?			N/A	N/A
GENDER⁵					
31	Do men and women benefit disproportionately or are involved unequally in the project's activities?				
32	Are there factors that prevent women's participation in the project?				

RECOMMENDED ACTION (<i>Check Appropriate Action</i>):		(Check)
(a)	The project has no potential for substantial adverse environmental effects. No further environmental review is required (Categorical Exclusion). No EMPR required.	
(b)	The project has potential for minimal to medium adverse environmental effects, but mitigable environmental effects. Measures to mitigate environmental effects will be incorporated (Negative Determination with Conditions). EMPR Required.	
(c)	The project has potentially substantial or significant adverse environmental effects, but requires more analysis to form a conclusion. An Environmental Assessment will be prepared (Positive Determination). No EMPR required.	
(d)	The project has potentially substantial adverse environmental effects, and revisions to the project design or location or the development of new alternatives is required (Deferral).	
(e)	The project has substantial and unmitigable adverse environmental effects. Mitigation is insufficient to eliminate these effects and alternatives are not feasible. The project is not recommended for funding.	

1 Construction projects need to be reviewed for scale, planned use, building code needs and maintenance. Some small construction projects, such as building an entrance sign to a park, may require simple mitigations whereas larger buildings will require more extensive review and monitoring.

2 New construction of roads and trails will require a full environmental assessment of the planned construction, i.e. a Positive Determination.

3 The planned involvement of pesticides will trigger the need to develop a Supplemental Initial Environmental Examination that meets USAID pesticide procedures (Pesticide Evaluation Report and Safer Use Action Plan or "PERSUAP") for the project.

4 Any activities the involve harvesting trees or converting forests will require a full environmental assessment of the activity (i.e. Positive Determination).

⁵A positive response to gender questions require follow up only when there are other positive responses on questions 1 – 30, and an EMPR is developed.

III-B. Identification of Mitigation Plan (Table 2)

→ Enter the Question/Row # of the potential negative impacts with check marks in Column A (Table 1) and complete table below for mitigation measures to reduce or eliminate the issue. In the Sub-Activity or Component Column, list the main actions to be implemented. Under each action, list the tasks (Steps) that are needed to implement this action.

#	Sub-activity or component	Description of Impact	Mitigation Measures
1	Component 1		
	Step 1		
	Step 2		
	Step 3		
2	Component 2		
	Step 1		
	Step 2		
	Step 3		

* provide overview of measures used from the USAID LAC Environmental Guidelines or other pertinent guidelines, details on exact monitoring plan are illustrated in Table 3, Environmental Monitoring and Evaluation Tracking Table.

III-C. Environmental Monitoring and Evaluation Tracking Table (Table 3).

Type of Project:	
Project Name:	
Implementing Organization:	
Location Name:	
Project Size:	
Nearby Communities:	
Senior Project Manager:	Date:
Monitoring Period:	

#	Description of Mitigation Measure	Responsible Party	Monitoring Methods			Estimated Cost	Results			Recommended Adjustments
			Indicators	Methods	Frequency		Dates Monitored	Problems Encountered	Mitigation Effectiveness	
1							1			
							2			
							3			
							4			
2							1			
							2			
							3			
							4			
3							1			
							2			
							3			
							4			
4							1			
							2			
							3			